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\*\*E-filed 10/27/05\*\*

Attorneys for Defendants  
CITY OF SAN JOSE, HAPPY HOLLOW PARK & ZOO

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

TERI SMITH,  
Plaintiff  
vs.

NO C04 01178 JF

**STIPULATION TO CONTINUE CASE  
MANAGEMENT CONFERENCE AND  
ORDER THEREON**

HAPPY HOLLOW PARK & ZOO; HAPPY HOLLOW CORPORATION; CITY OF SAN JOSE; and DOES 1-25

## Defendants.

Plaintiff Teri Smith and Defendants Happy Hollow Park & Zoo and City of San Jose, by and through their attorneys of record, hereby stipulate that the September 9, 2005 Further Case Management Conference in this matter be rescheduled to **December 16, 2005 at 10:30 a.m.** Good cause exists for this extension in that:

- 1) The parties participated in a productive settlement conference on August 29, 2005 before Magistrate Patricia V. Trumbull;
  - 2) Given the number of alleged violations of the Americans with Disabilities Act and related statutes Plaintiff has identified at the City of San Jose's Happy Hollow Park & Zoo and the sheer size of that facility, the parties will require

1 additional time to propose and consider necessary conditions to the  
2 settlement; and

3) A later Case Management Conference will be more productive once the  
4 parties have actually completed their further settlement discussions.

5 Dated: October 27, 2005

RICHARD DOYLE, City Attorney

7 BY: /s/ Brian C. Hopper  
8 BRIAN C. HOPPER  
9 Deputy City Attorney

10 Attorneys for Defendants  
11 CITY OF SAN JOSE, HAPPY HOLLOW  
12 PARK & ZOO

13 Dated: October 27, 2005

14 THIMESCH LAW OFFICES

15 By: /s/ Timothy Timesch  
16 TIMOTHY TIMESCH, ESQ.  
17 Attorneys for Plaintiff  
18 TERI SMITH

19 I attest that Plaintiff has approved and signed this document, and given consent to  
20 the filing of the same with the court.

21 Dated: October 27, 2005

RICHARD DOYLE, City Attorney

22 BY: /s/ Brian C. Hopper  
23 BRIAN C. HOPPER  
24 Deputy City Attorney

25 Attorneys for Defendants  
26 CITY OF SAN JOSE, HAPPY HOLLOW  
27 PARK & ZOO

## ORDER

Pursuant to the stipulation by the parties hereto and good cause appearing therefor, the October 28, 2005 Further Case Management Conference is hereby rescheduled to 10:30 a.m. on December 16, 2005.

Dated: 10/27/05

/s/electronic signature authorized

JEREMY FOGEL  
UNITED STATES DISTRICT JUDGE